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COMMITTEE REPORT

May 6, 2010

**H. 4802**

Introduced by Rep. J.E. Smith

S. Printed 5/6/10--H.

Read the first time April 13, 2010.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4802) to amend Section 25‑1‑1150, Code of Laws of South Carolina, 1976, relating to vacancies in the position of chief of staff, headquarters, South Carolina Air National Guard, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Adjutant General's Office reports this bill will have no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 25‑1‑1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VACANCIES IN THE POSITION OF CHIEF OF STAFF, HEADQUARTERS, SOUTH CAROLINA AIR NATIONAL GUARD, SO AS TO FURTHER PROVIDE FOR THE QUALIFICATIONS OF THE OFFICER PROMOTED TO FILL THE VACANCY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 25‑1‑1150 of the 1976 Code is amended to read:

“Section 25‑1‑1150. Whenever a vacancy occurs in the position of chief of staff, headquarters, South Carolina Air National Guard, it must be filled by promoting the fully qualified ~~rated~~ officer who has a minimum of five years commissioned service in the South Carolina Air National Guard and who is, in the opinion of the Adjutant General of South Carolina, considered to be the best qualified to fill the vacancy. Officers considered for this assignment must have served in a state status the next two years preceding the date the vacancy occurred. Active duty tours or schools of one year’s duration or less shall count toward accrual of the two‑year period specified in this section. In the event of federal mobilization of the majority of the South Carolina Air National Guard, the two‑year requirement does not apply. The chief of staff shall supervise preparation of plans, policies, and programs for the Air National Guard units assigned to the State and advise and assist the Adjutant General in the execution of such of these plans, policies, and programs as he approves. If he is the senior Air National Guard officer in the State, he may be vested with the authority to command all Air National Guard units assigned to the State.”

SECTION 2. This act takes effect upon approval by the Governor.

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